

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Master Case No. 5:15-CV-00013-BR**

IN RE: NC SWINE FARM)
NUISANCE LITIGATION)
) MOTION TO QUASH
) PLAINTIFFS' NOTICE OF
) DE BENE ESSE DEPOSITION
) OF STEVEN WING
)
) Fed. R. Civ. P. 16, 26, 30, 32
)

**THIS DOCUMENT RELATES TO:
ALL CASES**

Defendant Murphy-Brown LLC (“Murphy-Brown”) hereby moves to quash Plaintiffs’ Notice of *De Bene Esse* Deposition of Steven Wing. Dr. Wing is a retained expert, not a party or fact witness. Plaintiffs have disclaimed any medical claims in this case, but Dr. Wing’s expert report offers opinion testimony on alleged health hazards of living near hog farms. Dr. Wing offers no opinions as to Plaintiffs or the Discovery Pool farms. Moreover, Murphy-Brown would be prejudiced by being unable to prepare adequately for Dr. Wing’s trial testimony at this early stage of discovery. Murphy-Brown respectfully requests that this Court quash the Notice of Deposition and provide such further relief as it deems just and appropriate. The grounds for this Motion are set forth with particularity and in more detail in the accompanying Memorandum in Support, which is incorporated by reference.

Dated: June 24, 2016

Respectfully submitted,

/s/ Mark E. Anderson
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CERTIFICATE OF SERVICE

I, Mark E. Anderson, do hereby certify that on the 24th day of June, 2016, I caused the above and foregoing Motion to Quash Plaintiffs' Notice of De Bene Esse Deposition of Steven Wing to be filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing (NEF) to all CM/ECF registered attorneys indicated on the NEF, including counsel for Plaintiffs.

Respectfully submitted,

/s/ Mark E. Anderson
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